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The Global Support Initiative to Indigenous Peoples and Community-Conserved Territories and Areas (ICCA-GSI)

Title of Workshop: TICCA's - Territorios y areas
conservados por pueblos indígenas y
comunidades locales

Level: National

Place: Brasilia, BRAZIL

Date: 30-31 August 2019



BACKGROUND:

Brazil is home to about 896,917 indigenous peoples (IPs) distributed among 305 ethnic groups (2010, National Census). The Constitution of 1988 recognizes the IPs as the first and natural owners of the land and guarantees them their right to land. In 2007, Brazil voted in favor of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the American Declaration on the Rights of Indigenous Peoples in 2016 and has signed ILO Convention 169. Exploration and extraction of mineral wealth on indigenous lands must be authorized by the National Congress after listening to the communities involved, who must be guaranteed participation in the benefits of the mining activities. Eviction of IPs from their lands is prohibited.

However, the Brazilian government's new policies, developed in early 2019, directly threaten the IPs' constitutional rights and freedoms. The legal processes of demarcation of indigenous lands has been revoked, allowing the state to nullify declaratory ordinances and indigenous land permissions at any time.

As the realities of Brazil's IPs continue to dramatically change, the UNDP-implemented GEF Small Grants Programme (SGP), Instituto Sociedade, População e Natureza (ISPN), International Union for Conservation of Nature (IUCN), ICCA Consortium and Mulheres em Ação no Pantanal (MUPAN) organized a workshop to promote dialogues and gather contributions for the study: "A Legal Analysis: TICCA's in Brazil." Funded by the Global Support Initiative to Indigenous Peoples and Community-Conserved Territories and Areas ([ICCA-GSI](#)), the workshop brought 62 multi-level participants together at the Assunção Retreat House, Brasilia - Federal District, Brazil on 30-31 August 2019.

WORKSHOP OBJECTIVE AND PARTICIPATION:

The workshop's main objective was to discuss the opportunities and challenges of TICCA's in Brazil and collect inputs for the development of a study "A Legal Analysis: TICCA's in Brazil". The organizers were joined by representatives of indigenous communities, civil society organizations and the government. Specifically, indigenous communities were represented by (i.) Associação Quilombo Kalunga (AQK) from Cavalcante, Goiás,

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(ii.) from Mato Grosso do Sul: Conselho Terena, Instituto Terena, Kadiwéu, Rede Pantaneira, and Retireiros do Araguaia (iii.) Associação do Fecho de Pasto de Clemente from Correntina, Bahia and (iv.) Articulação Rosalino Gomes de Povos e Comunidades Tradicionais, from Montes Claros, Minas Gerais . CSO and NGO participants included (i) Associação de Advogados de Trabalhadores Rurais no Estado, (ii) Conselho Nacional dos Seringueiros (CNS), (iii) Comissão Pastoral da Terra (CPT), (iv) Movimento Interestadual das Quebradeiras de Coco Babaçu (MIQCB), (v) Rede Cerrado, (vi) Projeto Nova Cartografia Social da Amazônia, (vii) World Wide Fund for Nature Brasil (WWF), (viii) Universidade Federal do Pará (UFPA), (ix) Núcleo de Estudos Rurais e Agrários at Universidade Federal do Maranhão (UFMA), (x) Universidade Federal do Rio de Janeiro (UFRJ), and (xi) Universidade de Brasília (UnB), (xii) Instituto de Pesquisa Ambiental da Amazônia (IPAM) and (xiii) Instituto Socioambiental (ISA). The government was represented by (i) Comissão Estadual para a Sustentabilidade dos Povos e Comunidades Tradicionais (CESPCT), (ii) Ministry of Agriculture (MAPA), (iii) Instituto Chico Mendes de Conservação da Biodiversidade (ICMBio)/Ministry of Environment (MMA), and (iv) Ministry of Technology, Sciences, Innovation and Communication (MCTIC). International stakeholders included (i) Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), (ii) Instituto Internacional de Educação do Brasil (IEB), (iii) Critical Ecosystem Partnership Fund (CEPF), and (iv) Climate and Land Use Alliance (CLUA).



WORKSHOP DISCUSSION POINTS:

Day 1: Context, Conceptual Alignment and Experience-sharing

The following topics were addressed: (i) broadening the understanding of the 'TICCAs concept' and how it fits into the Brazilian reality and legal framework; (ii) sharing of TICCAs experiences in SGP Brazil, SGP Colombia, and the ICCA Consortium; (iii) objectives and process of the development of the "A Legal Analysis: TICCAs in Brazil"; and (iv) opportunities for applying the TICCAs instrument to institutional and community agendas.

Day 2: Reflection and Collective Construction

Participants were divided into four working groups, with each group having its own set of guiding questions that focused on improving ICCA recognition and adapted to the Brazilian reality. The dialogues took place in four rounds to enable all stakeholders to participate in each group and stimulate cooperation. The guiding questions and key components of responses are presented in Table 1.



Table 1: Workshop Guiding Questions and Responses (key components): On improving ICCA recognition, adapted to realities in Brazil

Table 1: Workshop Guiding Questions and Responses (key components): On improving ICCA recognition, adapted to realities in Brazil	
Work Group 1	<p>1. Do our territories fit the TICCA's Concept? Which ones fit?</p> <ul style="list-style-type: none"> ➤ 7 categories of the traditional peoples in the Rosalino Network: gerazeiro, indígena, quilombola, vazanteiro, catingueiro, apanhador de sempre-viva, veredeiros. ➤ Fecho and Fundo de Pasto communities; Mangaba pickers; Pantanal traditional communities; Rubber tappers; Castanheiros; Marisqueiros; Fishermen; Brejeiros; Sertanejos; Babassu coconut crackers; Land reform settlers (with common management); Retireiros from Araguaia.

2. What is TICCA's for in the Brazilian context?

- On struggles faced by IPs, “join forces so as not to be alone”
- Strengthen the understanding that the responsibility of conservation on common-use areas rests with residents rather than the state.
- Serves as political advocacy for peoples and communities; springboard for political visibility
- May cause re-evaluation and renewal of collective agreements for use of common areas and support sustainability
- Contribute to the integration of conservation and culture public policy actions
- Dissemination of good practices, conservation and management
- Experience-exchanges to know the reality of TICCA's in other countries

3. What are our general recommendations?

- Strengthen community governance in the political environment of conservation
- The concept is convergent between traditional communities and indigenous peoples (PCTs in Portuguese) and the scientific community. Attention to conceptual differences, it takes space for them to settle fairly
- Provide a TICCA's discussion at National Committee for Traditional Communities and indigenous peoples (CNPCT in Portuguese);
- Awareness-raising on TICCA's in regional and state committees, with knowledge product dissemination
- Capacity-building training for TICCA process
- Guarantee the autonomy of peoples within the TICCA's concept
- Continue as an additional legal instrument without strings attached
- Conservation mapping by communities with temporal perspective
- Identify the different titles, roles and responsibilities, ‘agents of change’ and degradation of territories
- The concept can influence to improve environmental legislation from the communities’ perspectives on resource use and conservation.

<p>Work Group 2</p>	<p>1. What are the advantages of having TICCA's recognition?</p> <ul style="list-style-type: none"> ➤ Conservation of territory and traditional livelihoods ➤ Greater understanding and visibility of the socio-cultural relationship and self-identification with the territory ➤ Self-identification process with opportunities for group strengthening/empowerment and capacity building ➤ Strengthening the collective character/action/discussions of/on the territory; greater possibility of articulation and resistance; security ➤ Showcasing the correlation between conservation and traditional communities to national, regional and international levels; connectivity of these territories to upper scale networks, inclusive of support for livelihoods improvement; fundraising opportunity ➤ Visibility, especially for 'conflict zones' ➤ Exchanges of experiences between IPs of Brazil and other countries ➤ Be part of the international conservation map ➤ Another ally in the conservation struggle ➤ Strengthening the debate on conservation within the territory and the recognition that it is another policy for strengthening efforts against struggles ➤ Brazilian System of Protected Areas (SNUC) alternative that allows the necessary scale for the conservation and maintenance of ecosystem functions <p>1a. Do we notice disadvantages? If so, what are they?</p> <ul style="list-style-type: none"> ➤ Agribusiness: communities are cornered by its expansion ➤ It's more of a concept and may confuse groups and communities. The very concept of PCT is still recent and not entirely appropriate; TICCA's arrive as one more ➤ Be another box that ties the groups ➤ A broad concept can erase the uniqueness of each group ➤ Prioritize in territorial policy conservation rather than peoples, their ways of life and forms of organization ➤ The concept that includes 'territory' may hinder rather than help (as it may be confused with land regularization);
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- Considering the international visibility that TICCA's can generate and that there are many attempts to commercialize nature, how much control do you have over the information that is available? Who accesses the information and how is it visible?
- We talk about consortium and networking, and the conflicts of understanding is very large, given the diversity of the public
- If the concept is not clear to us, how do we bring it to the leadership?
- Visibility also leads to increased pressure and conflicts
- No legal instrument for regularization can cause some recognition problem by the state and private initiative;
- Foreign rules and principles may not apply to Brazil.

2. What principles can guide TICCA's in Brazil?

- Self-organizing; prior consultation with communities to decide whether or not to participate in TICCA's
- Autonomy in decisions
- Consideration of communities' ways of life in all processes
- Recognition and appreciation of community governance of the territory and natural resource use
- Respect the time of each community
- Sustainability of the territory and communities
- Maintenance and respect for existing rights and duties
- Protagonism of peoples and communities
- Guarantee of the right to exist as PCTs

3. What are our general recommendations?

- Adapt the concept to the national reality, with site-specific considerations/approach
- The concepts 'consortium x network' was not clear; further clarification is needed;
- For implementation: aggregate existing initiatives to the process (e.g. community consultation processes, protocols, self-demarcation and social cartography); Respecting FPIC and pre-existing protocols;
- Reflect on a collective strategy; maybe undertake a business analysis to assess pros and cons before embarking on this new concept
- Put the way of life (cultural and intangible heritage) at the center of the document and not necessarily conservation;

	<ul style="list-style-type: none"> ➤ The methodology needs to be open, and not be a 'fit into boxes' exercise which is disadvantageous ➤ Dig deeper into what TICCA are; Deepen TICCA knowledge and involve more community members ➤ Involve communities as a whole, not just leaders; use community 'know-how' to make the best of this instrument ➤ Use social networks to spread the concept ➤ Strengthening integration between communities / networks ➤ Be down to earth, small and firm steps ➤ Must be outside of SNUC and should not pass state regulation
<p>Work Group 3</p>	<p>1. How to make communities know and understand what TICCA are?</p> <ul style="list-style-type: none"> ➤ Recognition as TICCA should provide for a broad discussion process among communities (in their networks, forums, councils, political organizations), respecting their autonomy and their own decision-making processes (protocols) so that their adherence can only be validated afterwards. (or not) and requested to be recognized as TICCA; ➤ Promoting and guaranteeing spaces for listening and learning about the theme, foreseeing and prioritizing the leadership of the leaders themselves in the decision-making process of adopting the concept or not, with the support of external agents ➤ Holding more formative moments on the theme for articulation and political organization ➤ Make it clear that TICCA are not a land category, ensuring their distinction from existing land modalities ➤ TICCA should be addressed from the recognition and appreciation of communities' ways of life ➤ Disseminate the knowledge and contributions generated in the TICCA discussion spaces to the grassroots and organizations ➤ TICCA enable and promote the diffusion of protection and conservation of biodiversity promoted by traditional peoples and communities by being recognized and legitimized by science and international forum

2. What are the advantages of having international visibility and networking?

- Space for visibility of unrecognized territories with few or no legal frameworks, and security to recognized/unrecognized territories
- International networking can unify understanding and promote solidarity in the struggles from each territory, so IPs are not held hostages by local/national government
- To be a facilitator of complaints, visibility, processes with bilateral agencies
- Strengthens the category of traditionally occupied land as an alternative to formally recognized and identifiable land modalities
- Promotes access to international partners and agencies
- Enables membership in a network, discussion forums, dissemination of good practices and conservation
- Opportunities for awareness-raising, experience-exchange on good practices for management and conservation of territories
- An international network can encompass the diversity of land use, with considerations to landscape and culture
- Facilitates and empowers dialogues of cross-border territories
- Gives visibility and strengthens what is already done, as it acts in the conservation of territories
- Supports the recognition of ecosystem services already provided by the community
- Can support and provide access to resources for conservation actions
- Pressures the Brazilian government to protect nature and the people who conserve it

2a. Disadvantages

- Appropriate by public management
- Confused as a new modality of territory within pre-existing categories, which can generate conflicts and noise in the localities
- The movement can be taken as a solution and not as a concept
- The term 'territory' in the 'TICCAs' acronym can disrupt the community's daily understanding in the regional context and may aggravate conflicts
- Providing visibility to community information may lead to misappropriation of information by external parties.

	<p>3. What are our general recommendations?</p> <ul style="list-style-type: none"> ➤ Prior to requiring the consortium to be recognized as TICCA, the process must be recognized by the communities themselves and can be a process of self-identification and free adherence, without public connection but with recognition/validation; ➤ Adopt the terms “voluntary adherence” and “validation” step by step ➤ Consider the state and municipal legal frameworks ➤ Make it clear that TICCA are not a land category ➤ Depending on the case, help build TICCA discussion guides ➤ Review the term “territory”, which can lead to misunderstandings, making territories and their communities vulnerable in the local/regional context ➤ Adopt language that is easily accessible and understandable by communities ➤ Develop an information security and control policy ➤ Ensure that the promotion/sharing of understanding about TICCA is linked to the process of political formation ➤ Build strategies for addressing TICCA in communities through projects and actions exemplified by SGP Colombia ➤ Seek resources to promote the dissemination of the concept ➤ Increase the participation of grassroots organizations in the planning of future meetings/events ➤ Disseminate the materials generated in this meeting to the national representations and invite them to participate in other meetings
<p>Work Group 4</p>	<p>1. What are the challenges for implementing TICCA in Brazil?</p> <ul style="list-style-type: none"> ➤ Articulating the TICCA concept and understanding the instrument; one needs to fully understand the concept to be able to explain it to communities and other knowledge-sharing and dissemination initiatives ➤ Knowing how to communicate whether the TICCA concept is good for the community ➤ Clarifying that this is a process of self-recognition of communities

- Bringing the concept into conflict areas will be a greater challenge
- Overcoming resistance in government power structures to spread the concept
- Having a collective discussion of TICCA between different networks, movements
- Overlapping of efforts
- Identifying/mapping out similar, ongoing initiatives in Brazil
- The new concept may imply a 'new job' demand
- Caution when promoting as some may expect land regularization - TICCA is not a land instrument.

2. How to build a national TICCA support strategy?

- Train multipliers and seek project support to strengthen groups
- Search for established networks to put on the discussion agenda
- Establish articulation networks for discussion space
- Establish a TICCA National Commission
- Propose a notice to strengthen the concept - representatives of the peoples
- Give visibility to the bottlenecks for the recognition of territories
- Remember that there are public policies in Brazil, and we have to work within that framework - not introduce anything new
- Unification of peoples' struggles to support traditional livelihoods

3. What are our general recommendations?

- Empower multipliers (increase effort);
- Promote thematic workshop in September 12 and 13 at the Cerrado Peoples Meeting
- TICCA as a common tool among peoples, and people should be protagonists in spreading the TICCA concept
- Anchor ISPN as an organization to raise funds within the GEF
- Strengthen the narrative of territories of peoples and communities as spaces for nature conservation and ecosystem services
- Set up a schedule - discussions do not stop here
- Clarify the role of the TICCA Consortium
- Establish a "TICCA Secretariat" using information technology to communicate and disseminate the concept

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- Strengthen the representation and protagonism of peoples in the Executive Secretariat
- Make a communication campaign
- Bring international processes to national CNPCT strategies
- Recognize the people who promote conservation
- Strengthen the role of CNPCT
- Specify institutional safeguards for Brazil, and develop guidelines, safeguards/protocols and guiding principles
- Seek resources for implementation actions
- Seek to strengthen popular organizations without relying on the government

WORKSHOP OUTCOMES:

As a result of the comprehensive and participatory discussions, the following 'next steps' were agreed upon: (i) continuous reflection on the TICCAs concept among the institutions and communities to reach a decision; (ii) circulate information on the TICCAs concept; (iii) hold a meeting in September 2020 at the Cerrado Peoples Meeting; and (iv) continue the process of preparing the legal study, with participatory engagement from IPs and local communities in the territories.

The [ICCA-GSI](#) is a multi-partnership initiative that is delivered by the UNDP-implemented Small Grants Programme ([SGP](#)) and funded by the Government of Germany, through its Federal Ministry for the Environment, Nature Conservation and Nuclear Safety ([BMU](#)). Key partners include the United Nations Environment Programme's World Conservation Monitoring Centre ([UNEP WCMC](#)), the International Union for the Conservation of Nature's Global Programme on Protected Areas ([IUCN GPAP](#)), the [ICCA Consortium](#) and the Secretariat of the Convention of Biological Diversity ([CBD](#)).



Convention on
Biological Diversity



In Brazil, ICCA-GSI partners with Instituto Sociedade, População e Natureza ([ISPN](#)).



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